

ILLINOIS REGISTER

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ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Horsemen's Bookkeeping System Licensees
- 2) Code Citation: 11 Ill. Adm. Code 450
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
450.10	Repealed
450.20	Repealed
450.30	Repealed
450.40	Repealed
450.50	Repealed
450.60	Repealed
450.70	Repealed
450.80	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: April 1, 2019
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.
- 9) Notice of Proposal Published in the *Illinois Register*: 42 Ill. Reg. 23711; December 21, 2018
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between Proposal and Final Version: No changes were made
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? No changes were requested by JCAR
- 13) Will this repealer replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Repealer: Pursuant to Executive Order 2016-13, the IRB is amending and repealing sections under the "Cutting the Red Tape Initiative" to make certain that regulatory standards are not unduly burdensome to licensees.
- 16) Information and questions regarding this adopted repealer shall be directed to:

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TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING  
SUBTITLE B: HORSE RACING  
CHAPTER I: ILLINOIS RACING BOARD  
SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 450

HORSEMEN'S BOOKKEEPING SYSTEM LICENSEES **REPEALED**

Section

450.10	Criteria for Eligibility
450.20	License Application
450.30	Time of Filing an Application
450.40	Application from Corporation
450.50	Grounds for Denial of an Application
450.60	Change of Officers or Directors
450.70	Audit
450.80	License Deemed Personal

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 33 Ill. Reg. 11884, effective August 1, 2009; repealed at 43 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 450.10 Criteria for Eligibility**

An applicant for an occupation license as an operator of a horseman's bookkeeping system shall:

- a) have a contract to provide a horseman's bookkeeping system with an organization licensee;
- b) either:
  - 1) have operated a horseman's bookkeeping system at a pari-mutuel race meeting in Illinois for at least 3 years prior to the effective date of this Part; or
  - 2) provide the Board evidence that the applicant has the experience and expertise to operate a horseman's bookkeeping system at the race meeting at which the applicant proposes to participate in Illinois racing;

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- c) provide the Board with a current Table of Organization, Ownership and Control in sufficient detail to identify the individuals that manage, own or control the interests and assets of the applicant; and
- d) establish, maintain, update and provide to the Board an Internal Control System that is subject to audit, with the cost of the audit borne by the occupation licensee.

#### **Section 450.20 License Application**

- a) An application for a license to operate as a horseman's bookkeeping system licensee shall be made on forms furnished by the Board.
- b) One original and one copy of the application shall be filed at the Board's central office at 100 W. Randolph St., #5-700, Chicago, IL 60601.
- c) The applicant shall submit a one-year license fee of \$25.
- d) The applicant shall submit with the application all contracts with organization licensees and instruments evidencing any indebtedness between the applicant and any and all organization licensees.
- e) If circumstances change or events occur after the filing of an application, the applicant shall submit an amendment to the Board. Examples of these changes include, but are not limited to, a change of corporate officers and the signing of additional contracts with organization licensees.

#### **Section 450.30 Time of Filing an Application**

- a) Applications for an occupation license as a horseman's bookkeeping system licensee shall be filed 60 days prior to the opening of the first race meet during a calendar year at an Illinois race track at which the applicant seeks to participate in Illinois racing.
- b) The Board may, in its discretion, upon good cause shown, receive applications at a time other than that specified in subsection (a). Good cause means a change in ownership of horseman's bookkeeping system licensee; changes in the financial position of a horseman's bookkeeping system licensee, such as, but not limited to, the dissolution or bankruptcy of the licensee; or the impossibility of a licensee furnishing services for an upcoming race meet.

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**Section 450.40 Application from Corporation**

A corporation applicant for a license as a horseman's bookkeeping system licensee shall disclose the names and business addresses of its directors and officers and the owners of any legal or beneficial interest of 5% or more of the corporation. If the corporation is owned, in whole or in part, by another corporation, disclosure shall be made for the other corporation and for the owners of 25% or more of the equity of the other corporation.

**Section 450.50 Grounds for Denial of an Application**

The Board may deny an application for an occupation license as a horseman's bookkeeping system licensee based on 11 Ill. Adm. Code 502.60 through 502.110. An applicant whose application for a license is denied may request a hearing pursuant to 11 Ill. Adm. Code 204.

**Section 450.60 Change of Officers or Directors**

Within 15 days after election, appointment or resignation of an officer or director of a licensed horseman's bookkeeping system, the licensee shall notify the Board in writing of the identity of each new and resigned officer or director and shall file an amended application for each person.

**Section 450.70 Audit**

The Board's Executive Director may at any time inspect, review or audit the records and performance of the horseman's bookkeeping system licensee. The cost of the audit shall be borne by the licensee. The Executive Director shall establish the scope, procedures and reporting requirements of any audit.

**Section 450.80 License Deemed Personal**

Licenses to operate a horseman's bookkeeping system are deemed personal in nature and non-transferable, and will terminate upon a substantial change of ownership of the licensee unless the Board grants approval of the substantial change of ownership. The sale or transfer of 25% or more of the equity of a licensee shall be considered a substantial change of ownership and within 15 days after the change of ownership, the licensee must notify the Board of the identity of each substantial owner. In acting upon a request for approval of a substantial change in ownership, the Board shall consider the same factors it considers in the initial grant of a horseman's bookkeeping system license.